Summary of Annual Report

2023/24

HONG KONG HAS A CLEAR MIRROR

Office of The Ombudsman

Hong Kong, China

Summary of Annual Report 2023/24
Office of The Ombudsman, Hong Kong, China

Complaints and Enquiries

This year (2023/24) signified the first full year where public services returned to normalcy since the COVID-19 pandemic. We received 4,351 cases of complaints, which is relatively low. Pandemic-related complaints plummeted from 766 to 33 year on year.

We have completed 4,397 cases this year including some brought down from last year. Among the cases processed, 2,053 were thoroughly pursued and concluded, and 2,344 complaints were closed after assessment due to insufficient grounds to pursue or outside our statutory purview. We also received 8,599 enquiries.

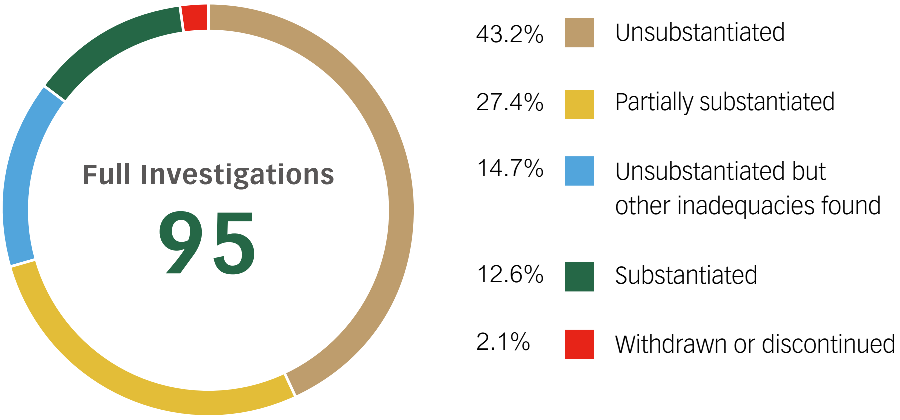
Total Complaints Received	**4,351**
• Normal Complaints	4,205
• Topical Complaints	146

Total Complaints Completed	**4,397**
• Normal Complaints	4,246
• Topical Complaints	151

Total Enquiries Received	**8,599**

Outcome of Investigations and Inquiries

In the year, we conducted 95 full investigations, of which 52 (54.7%) were substantiated, partially substantiated or unsubstantiated but with other inadequacies found and the rest were unsubstantiated. Among the 1,771 inquiry cases concluded, 335 (18.9%) were with inadequacies found.



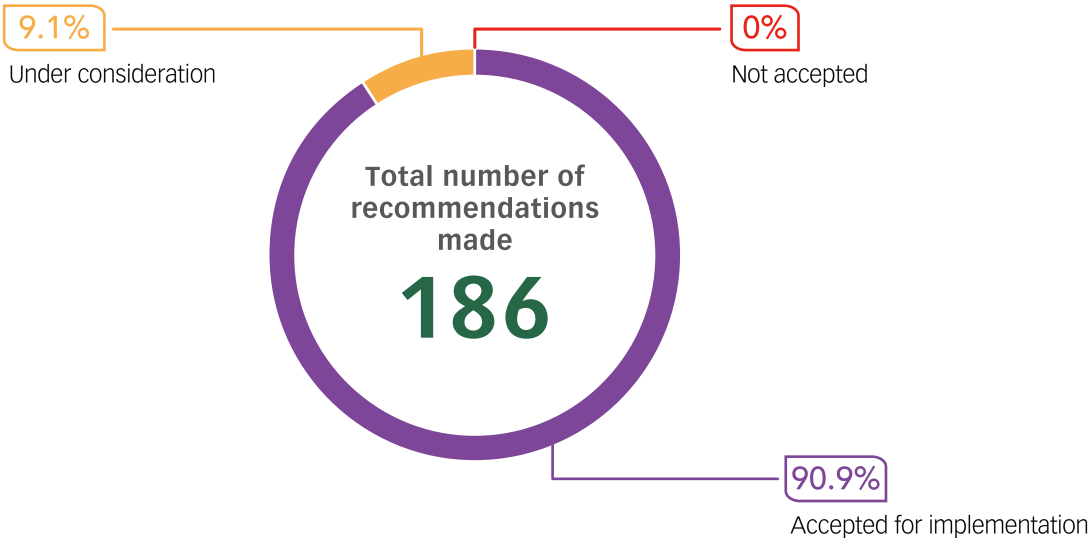
Direct Investigation Operations

During the year we completed ten direct investigation operations:

DI/456	Measures and Usage of On-street Parking Spaces Designated for People with Disabilities
DI/457	Pilot Scheme on Community Care Service Voucher for the Elderly
DI/458	Education Bureau's Monitoring of Boarding Sections of Schools for Children with Intellectual Disabilities
DI/459	Government's Enforcement against Defective Sewage Works of New Territories Exempted Houses
DI/461	Effectiveness of 1823 in Handling Complaints and Enquiries
DI/462	Housing Department's Arrangements for Housing for Senior Citizens and Converted One-person Units
DI/463	Handling of Complaints Involving Trees on Government Land
DI/465	Repairs and Maintenance of Outdoor Recreational and Sports Facilities under Leisure and Cultural Services Department
DI/466	Regulation of Licensed Swimming Pools by Food and Environmental Hygiene Department
DI/467	Food and Environmental Hygiene Department's Regulation over Sale of Food in Hot/Cold Holding and Non-prepackaged Beverages by Means of Vending Machine

Recommendations

Below are the figures of our concluded investigations and recommendations made in this financial year.



Full investigations concluded:	95		Direct investigation operations concluded:	10		
Recommendations made:	80	+	Recommendations made:	106	=	186

Achievement of Performance Pledges

All 11 targets of our service standards in handling enquiries, complaints, re-assessment and review of complaints were fully met with 10 exceeded targets.

Complaints	Service Standard	Target	Achievement
Acknowledge receipt of a complaint	Within 5 working days	99%	100% (exceed target)
Close a complaint case which is outside our statutory purview after initial assessment	Within 10 working days Within 15 working days	90% 99%	99.7% (exceed target) 100% (exceed target)
Conclude a complaint case	Within 3 months Within 6 months	80% 99%	86.5% (exceed target) 99.1% (meet target)

Enquiries	Service Standard	Target	Achievement
Reply to a written enquiry	Within 5 working days Within 10 working days	95% 99%	100% (exceed target) 100% (exceed target)

Re-assessment and review of complaints	Service Standard	Target	Achievement
Complete re-assessment of a complaint case	Within 1 month Within 2 months	95% 99%	100% (exceed target) 100% (exceed target)
Complete review of a complaint case	Within 3 months Within 6 months	70% 90%	78.8% (exceed target) 97.1% (exceed target)

Mediation

This year was another fruitful year in our mediation work, in which we resolved 187 complaints by mediation. By conducting mediation, complaints could be resolved amicably within a short period of time and the results satisfied by all parties. In 2023/24, the average time taken to resolve a complaint by way of mediation was 13.5 days. Over 92% of the respondent complainants and participating organisations were satisfied with our mediation service and over 94% were satisfied with the performance of our mediators.

187
Resolved by **mediation**

Complaints on Access to Information

Government statistics show that refused information requests have been staying at relatively low levels. In fact, only a small portion of refused requests have ended up as complaints to our Office. During the year, we received only 79 complaints about cases related to access to information ("ATI"). Among the 72 ATI complaints concluded, only 23 (32%) were with inadequacies found.

	Complaints received	Complaints concluded*
Organisations covered by the Code	64	66
Organisations not covered by the Code	15	6

* Including those carried forward from last year

Re-assessment of Cases and Review of Cases

We re-assessed 257 cases, with 150 cases subsequently re-opened. Moreover, we reviewed 102 cases. Conclusions were upheld in all these cases except one.

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Spreading Our Message

This year, we actively rolled out an array of promotional activities. Our contacts with stakeholders, through meetings, visits, talks, etc., turned more active. We maintain close ties with our counterparts in the Mainland and worldwide.

In 2023/24, we organised four press conferences and issued two press releases to announce the results of ten direct investigation operations. We also declared the launch of five direct investigation operations to invite public views on the topics involved.

A new publicity campaign with the theme of "Hong Kong Needs a Clear Mirror" was launched in October 2023, with outdoor advertisings and social media initiatives. Throughout the years, our Office has been acting like a clear mirror in handling public complaints: we examine complaint cases in an impartial manner, reveal the true facts as they are, make objective and unbiased comments, and put forward clear and workable recommendations for improvement. The ultimate goal is to lift the standard of public administration.

We delivered a total of 13 experience-sharing sessions to different Government departments and public organisations to promulgate our mission and scope of work and share our experience in complaint handling. We aim to nurture in the community and among the youngsters in particular a positive culture on expressing opinions and an understanding of the importance of good public administration. To enhance understanding of our Office, we organised altogether 16 school talks attracting 2,500 students and teachers to attend.

A Youth Contest named "YOUTH CREATE • A better Hong Kong" calling for advertising initiatives was launched in the fourth quarter of last year to educate the younger generation on the importance of good public administration in civic society. Over 300 entries from 26 schools were received.

At a leadership forum organised by the Education Bureau in March 2024, we shared views on the essentials of administrative management and qualities of leaders with over 90 newly appointed school principals.

The Presentation Ceremony of The Ombudsman's Awards for the last year was held on 15 November 2023. The Grand Award went to the Immigration Department, whereas the Efficiency Office and the Hospital Authority won the runner-up awards. The Chief Secretary for Administration's Office received the Award on Mediation. A total of 62 public officers were given the Individual Awards to recognise their exemplary performance in public service.

In September 2023, our delegation attended the Board of Directors' meeting of the Asian Ombudsman Association ("AOA") and its General Assembly in Kazan, Tatarstan, Russia. The Ombudsman of Hong Kong was re-elected as the Secretary of AOA.

We participated in the 35th Members' Meeting and a conference organised by the Australasian Pacific Ombudsman Region of the International Ombudsman Institute held in Melbourne on 31 October and 1 November 2023.

In November 2023, our Office was invited to attend the 2nd South East Asia Ombudsman Forum Plus Meeting held in Yogyakarta, Indonesia for experience-sharing. We also received the delegation from the National Supervisory Commission and exchanged updates on our achievements of work in recent years and experiences of participating in activities at regional and international levels.

Embracing a Better Future

We are committed to building our professional capacity and fostering a learning culture by offering diversified learning and training opportunities for our staff. For example, we ran a tutoring scheme for junior investigators to facilitate their settling in the job, organised respective workshops on mediation and complaint handling, and held a workshop on cyber security awareness against phishing emails and messages.

We invited the Office of the Privacy Commissioner for Personal Data to conduct a workshop for our staff on the protection of personal privacy in our work context.

We arranged our staff to join a "National Studies Course" at Peking University for deepening their understanding of national policies and development. Another group of our staff attended a "National Education Programme" in Shenzhen. Our staff members also attended many related seminars organised by the Government. In-house briefings are regularly held to deepen staff's understanding of the importance of and responsibility for safeguarding national security. To keep staff abreast of the best practices and latest trends in complaint handling in different jurisdictions, we have conducted workshops on the "Ombudsman Self-Assessment Tool" and sent staff to attend online or physical conferences organised by overseas ombudsman institutions to broaden their horizons.

We care for the well-being of our staff and have implemented an Employee Wellness Programme, which offers coaching and counselling to our staff to help them achieve personal and professional effectiveness.

Caseload

	Reporting year[1]				
	23/24	22/23	21/22	20/21	19/20
Enquiries	**8,599**	**9,279**	**8,851**	**7,505**	**8,581**
Complaints					
(a) For processing	**4,979**	**5,951**	**5,626**	**30,713**	**20,737**
– Received	4,351[146]	5,357[233]	4,934[140]	29,814[25,155]	19,767[15,034]
– Brought forward	628	594	692	899	970
(b) Completed	**4,397[151]**	**5,323[254]**	**5,032[135]**	**30,021[25,155]**	**19,838[15,040]**
Pursued and concluded	**2,053[8]**	**2,558[138]**	**2,739[102]**	**2,826[249]**	**2,807[326]**
– By inquiry[2]	1,771	2,112[119]	2,432[102]	2,480[246]	2,418[217]
– By full investigation[3]	95[7]	141[16]	92	167[3]	240[109]
– By mediation[4]	187[1]	305[3]	215	179	149
Assessed and closed	**2,344[143]**	**2,765[116]**	**2,293[33]**	**27,195[24,906]**	**17,031[14,714]**
– Insufficient grounds to pursue[5]	1,470[110]	1,787[85]	1,171[6]	1,295[203]	8,676[7,496]
– Legally bound[6]	874[33]	978[31]	1,122[27]	25,900[24,703]	8,355[7,218]
(c) Percentage completed = (b)/(a)	**88.3%**	**89.5%**	**89.4%**	**97.7%**	**95.7%**
(d) Carried forward = (a) – (b)	**582**	**628**	**594**	**692**	**899**
Direct investigation operations completed	**10**	**9**	**8**	**9**	**10**

Notes :
1. From 1 April to 31 March of the next year.
2. Pursued under section 11A of The Ombudsman Ordinance, for general cases.
3. Pursued under section 12 of The Ombudsman Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.
4. Pursued under section 11B of The Ombudsman Ordinance, for cases involving no, or only minor, maladministration.
5. Not pursued and closed under section 10(2) of The Ombudsman Ordinance.
6. Outside the Office’s jurisdiction under section 8 or restricted by section 10(1) of The Ombudsman Ordinance.
[ ] Number of topical complaints.